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OLC 70-0352
OGC 70-0870

26 May 1970

OGC Has Reviewed

MEMORANDUM FOR THE RECORD

SUBJECT: Conversation with Mr. Maurice H. Lanman

1. Talked with Mr. Maurice H. Lanman, Assistant General Counsel (Fiscal Matters), DOD, about SWITCHBACK. Mr. Lanman indicated that plans are now reasonably firm for complete phase out by the close of the calendar year. Consequently, they are responding, in writing, asking us to ride with it for that length of time aside from the CISO aspects.

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2. Mr. Lanman also discussed with me the Cooper-Church Amendment pointing out that it had passed overwhelmingly

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Lanman stated that this problem does occur in the DOD complex in connection with the contingency authorities available to the four Secretaries. Lanman stated that he, against some opposition, has maintained that the later limitations do not limit the Secretaries' contingency authorities. It was also agreed that it seemed appropriate that we both continue very firmly this position. We both agreed, however, that aside from the technical legal aspects such limitations created practical and political problems.

/s/
JOHN S. WARNER
Acting General Counsel

cc: Legislative Counsel

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